CONCLUSION

In view of the above remarks, reconsideration of the various rejections and allowance of claims 1-18 is respectfully requested.
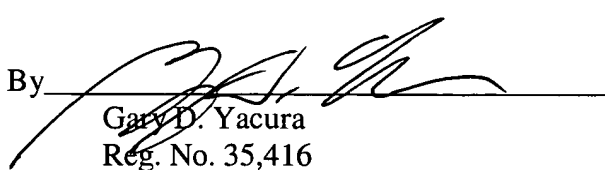
In the event that there are any outstanding matters remaining in the present application, Applicant requests the Examiner to contact Jason W. Rhodes at (703) 668 – 8020 in the Washington, D.C. area, to discuss this application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R.§1.16 or under 37 C.F.R.§1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By_____
Gary D. Yacura
Reg. No. 35,416

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

GDY/JWR:hnd

REMARKS/ARGUMENTS

Claims 1-18 are pending in the present application. Claims 1 and 9 are independent.

PRIOR ART REJECTIONS

Claims 1-8 and 17 stand rejected under 35 U.S.C.§103(a) as being unpatentable over U.S. Patent No. 6,266,402 to Ferguson et al. (hereinafter "Ferguson") in view of U.S. Patent No. 6,011,780 to Vaman et al. (hereinafter "Vaman"). This rejection is respectfully traversed for the following reasons.

Independent claim 1 recites receiving a message blocking request from a first network component at a second network component. The message blocking request identifies a third network component, which the second component prevents from sending messages to the first component, if the request is accepted.

In page 3 of the outstanding Office Action, the Examiner admits that Ferguson fails to disclose a first network component that sends out a message blocking request. The Examiner relies on Vaman to remedy this deficiency.

Vaman discloses setting up a primary and secondary path in a network for a data transfer between a source node and destination node. Each of Vaman's primary and secondary paths include one or more intervening nodes, through which data can be transmitted from the source node to the destination node. When Vaman's destination node receives an alarm indication that a resource failure has occurred in the primary path, it will perform management actions to cause the source node to transmit the data via the secondary path. Such management actions include sending messages to the nodes in the secondary path to request bandwidth for the data transfer.

There is no disclosure in Vaman that the destination node requests any node within the primary or secondary paths to prevent communicating data from the source node. Instead, the destination node only sends messages to establish an alternate path from which the source node will send data to the destination node.

Thus, contrary to the Examiner's assertion otherwise, Vaman fails to disclose a first network component that sends a blocking request to a second network component to prevent messages from being communicated from a third network component. Vaman only discloses that a destination node requests that an alternate path be used to transmit messages.

For these reasons, Ferguson in view of Vaman fails to disclose all the features recited in independent claim 1. Therefore, Applicant respectfully submits that claim 1 is allowable over Ferguson and Vaman. Furthermore, Applicants submit that claims 2-8 and 17 are allowable over Ferguson in view of Vaman at least by virtue of their dependency on claim 1.

Claims 9-16 and 18 stand rejected under 35 U.S.C.§103(a) as being unpatentable over Ferguson in view of Vaman, and further in view of U.S. Patent No. 5,978,672 to Hartmaier et al. (hereinafter "Hartmaier"). Applicant respectfully traverses this rejection for the following reasons.

Independent claim 9 recites receiving a message blocking request from a first mobile switching center (MSC) at a system control function component (SCF). The message blocking request identifies a second MSC, which the SCF prevents from sending messages to the first MSC.

In page 6 of the Office Action, the Examiner acknowledges that Ferguson does not disclose wireless MSCs, and relies on Hartmaier to provide this teaching.

However, for the reasons stated above in connection with independent claim 1, the combination of Ferguson and Vaman fails to disclose a network component sending a message blocking request to another network component to prevent messages from being communicated from a third network component. Applicant respectfully submits that Hartmaier fails to remedy this deficiency. Thus, the combination of Ferguson, Vaman, and Hartmaier fail to disclose each feature recited in independent claim 9.

Applicant respectfully submits that claim 9 is allowable over the cited prior art at least for this reason. Further, Applicant submits that claims 10-16 and 18 are allowable at least by virtue of their dependency on claim 9.